IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10125 of 1998

DATED: 5.1.2007

Between:

G.Siva Rama Reddy and others petitioners

And

The Chairman
A.P.State Electricity Board, Vidyut Soudha
Hyderabad and others Respondents

-
-
-

THE HON'BLE SRI JUSTICE N.V.RAMANA

-

WRIT PETITION NO. 10125 OF 1998

ORAL ORDER:

This writ petition is filed questioning the action of the respondents in not absorbing the petitioners as supervisors or in any other equivalent post in the respondent Board as illegal and arbitrary.

The petitioners claim that they are licenced labour contractors in the respondent board for the last so many years and executed number of contracts. It is alleged that the respondent Board has taken away all the contract labourers and regularised their services in the respondent board in various categories of posts, which rendered the petitioners jobless. Hence, they seek absorption in the respondent board as Supervisors or in any other suitable posts along with contract labourers in terms of B.P.Ms.No. 36 dated 18.5.1997.

Mr. G.Vidyasagar, learned counsel appearing for respondent Corporation submitted that the petitioners being licenced labour contractors are not entitled to the relief in terms of B.P.Ms.No.36 dated 18.5.1997 whereby 50% of the existing vacancies in the initial recruitment cadres were directed to be filled by Ex.Casual Labour, Village Electricity Workers.

Heard the learned counsel for petitioner learned counsel for respondent and perused the material available on record.

The erstwhile A.P.S. Electricity Board issued B.P.Ms.No. 36 dated 18.5.1997 for filling up of the 50% of the existing vacancies in

initial recruitment cadres by Ex.Casual Labour and Village Electricity Workers and issued guidelines. The relevant portion of the proceedings dt 18.5.1997 reads as under:

> ....
>
> 4. The A.P.S.E. Board accordingly issues the following orders in supersession of the orders issued in the reference 2 and 3rd cited.
>
> i).. **Ex.Casual Labour:-** The Ex.Casual labour who were already interviewed but failed in the test and given second chance and also obtained interim orders from the High Court for consideration are only eligible for selection for appointment against 50% of the existing vacancies in accordance with the guidelines contained in Memo No.DP/DM-I/A3/1138/85-1 dated 26.9.95 read with Memo No.DP/DM-I/G2/2549/93 dated 14.9.93.
>
> ii).. **Village Electricity Workers:-** In terms of the agreement dated 5.3.96, the cases of village electricity workers shall be considered for selection and appointment against 50% of the existing vacancies subject to the condition that they are eligible to derive any benefit for their earlier service and on selection they will be appointed as fresh candidates in A.P.S.E.B.
>
> iii).. **Contract Labour :-** The contract labour other than those engaged in 33 abolished categories in generating stations shall be considered for selection and appointment against 50% existing vacancies.
>
> ……..

The above proceedings clearly prescribes consideration of cases of Ex.Casual Labour, village electricity workers and contract labour not covered by 33 abolished categories in generating stations against 50% of existing vacancies. The petitioners who are admittedly licenced labour contractors are not covered by the proceedings in B.P.Ms.No.36 dated 18.5.1997 and are not eligible for consideration of their cases for absorption in the respondent Board. Since, they are not eligible for consideration under B.P.Ms No.36 dated 18.5.1997, they cannot seek the relief of absorption in the respondent board in terms of

the said proceedings.

There are no merits in the writ petition warranting interference of this Court and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

_____

N.V.RAMANA,J

DATE: 5.1.2007
TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10125 of 1998

DATED: 5.1.2007